

REMARKS

As stated in the Advisory Action dated September 4, 2009, if one accepts the Examiner's position that Chang discloses links and connections, and that these correspond to the terms "link and connection" used in the present application, it is clear that Chang *fails* to disclose a network management system allocating connections to the network as required by parent claim 9.

This part of applicant's argument has not been considered/discussed by the Examiner in the Advisory Action. As can be seen from the paragraphs 104 and 119 of Chang relied upon by the Examiner, the NC&M 220 controls links, and *not* connections. Updating a connection table is not setting up a connection.

Paragraph 104 of Chang first discloses that information contained in an optical signaling header 210 is used in the process of setting up a connection, and then explains:

"Each WDM network element 121-125 senses optical signaling header 210, looks-up a connection table (discussed later), and takes necessary steps such as cross-connections, add, drop, or drop-and-continue."

This, however, is a disclosure of a network element (node 121-125) setting up a connection, and not a network management system! The only role of the NC&M 220 disclosed in paragraph 104 is the updating of a connection table. Updating a connection table is *not* setting up a connection.

Paragraph 111 of Chang makes it even clearer:

"In operation, module 410 taps a small fraction of the optical signals appearing on paths 401-403 in order to detect information in each signaling header 210, and determine the appropriate commands for switching device 430 after looking up the

connection table stored in module 410. The fiber delay is placed in paths 401-403 so that the packet having header 210 and payload 211 reaches switching device 430 only after the actual switching occurs. This fiber delay is specific to the delay associated with header detection, table look-up, and switching, and can typically be accomplished in about 10 microseconds with about 2 km fiber delay in fibers 415-417.”

It is clear from this disclosure that the network management system of Chang has ***nothing to do with setting up a connection.*** Chang might have disclosed the NC&M 220 establishing an optical link between nodes of a network, but, as discussed previously, the terms “link” and “connection” refer to different things in the present invention, and are also clearly different things in Chang’s disclosure.

In consequence the combination of Chang, Smith and Beshai fails to disclose a network management system allocating connections to the network as required by claim 9.

New claims 17-20 have been added. The basis for claim 17 can be found on page 9, first full paragraph and page 3, last line. The basis for claim 18 can be found on page 21, first two lines. The basis for claim 19 can be found in the paragraph bridging pages 19 and 20. The basis for claim 20 can be found on page 13, first full paragraph.

Petition is hereby made for a two-month extension of the period to respond to the outstanding Official Action to September 22, 2009. The Commissioner is authorized to charge \$490.00, as the Petition fee, any additional charges, or any overpayment, in connection with the filing of this response, or any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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